Stat. 189; Pub. L. 92318, title II, §204(c), June 23, 1972, 86 Stat. 326; Pub. L. 94482, title II, §201(j), Oct. 12, 1976, 90 Stat. 2168, authorized grants for the reduction of borrowing costs for construction of schools and dormitories for residential vocational education programs.

Section 1341, Pub. L. 88210, title I, §161, as added Pub. L. 90576, title I, §101(b), Oct. 16, 1968, 82 Stat. 1085; amended Pub. L. 91230, title VII, §705, Apr. 13, 1970, 84 Stat. 189; Pub. L. 92318, title II, §205, June 23, 1972, 86 Stat. 326; Pub. L. 94135, title II, §204, Nov. 28, 1975, 89 Stat. 727; Pub. L. 94482, title II, §201(k), (l), Oct. 12, 1976, 90 Stat. 2168, set forth authorization and funding provisions for consumer and homemaking education programs.

Section 1351, Pub. L. 88210, title I, §171, as added Pub. L. 90576, title I, §101(b), Oct. 16, 1968, 82 Stat. 1086, set forth Congressional findings and declaration of purpose for cooperative vocational education programs.

Section 1352, Pub. L. 88210, title I, \$172, as added Pub. L. 90576, title I, \$101(b), Oct. 16, 1968, 82 Stat. 1086; amended Pub. L. 92318, title II, \$206, June 23, 1972, 86 Stat. 326; Pub. L. 94482, title II, \$201(m), Oct. 12, 1976, 90 Stat. 2169, set forth funding provisions for cooperative vocational education programs.

vocational education programs. Section 1353, Pub. L. 88210, title I, \$173, as added Pub. L. 90576, title I, \$101(b), Oct. 16, 1968, 82 Stat. 1087, set forth requirements of State plan for participation in cooperative vocational education program funding.

Section 1354, Pub. L. 88210, title I, §174, as added Pub. L. 90576, title I, §101(b), Oct. 16, 1968, 82 Stat. 1087, limited use of funds for cooperative vocational education programs.

Section 1355, Pub. L. 88210, title I, §175, as added Pub. L. 90576, title I, §101(b), Oct. 16, 1968, 82 Stat. 1087, defined "cooperative work-study program".

Section 1371, Pub. L. 88210, title I, §181, as added Pub. L. 90576, title I, §101(b), Oct. 16, 1968, 82 Stat. 1088; amended Pub. L. 91230, title VII, §706(a), Apr. 13, 1970, 84 Stat. 189; Pub. L. 92318, title II, §207, June 23, 1972, 86 Stat. 326; Pub. L. 94482, title II, §201(n), Oct. 12, 1976, 90 Stat. 2169, set forth funding provisions for work-study programs for vocational education students.

programs for vocational education students. Section 1372, Pub. L. 88210, title I, §182, as added Pub. L. 90576, title I, §101(b), Oct. 16, 1968, 82 Stat. 1088, set forth requirements of State plan for participation in

student work-study program funding.
Section 1373, Pub. L. 88210, title I, §183, as added Pub.
L. 90576, title I, §101(b), Oct. 16, 1968, 82 Stat. 1089;
amended Pub. L. 91230, title VII, §706(b), Apr. 13, 1970, 84
Stat. 189, authorized manner of payments for State
work-study programs for vocational education students

Section 1374, Pub. L. 88210, title I, §184, as added Pub. L. 90576, title I, §101(b), Oct. 16, 1968, 82 Stat. 1090, set forth status of participants in work-study programs

forth status of participants in work-study programs.
Section 1391, Pub. L. 88210, title I, §189, formerly §191, as added Pub. L. 90576, title I, §101(b), Oct. 16, 1968, 82 Stat. 1090; amended Pub. L. 91230, title VII, §707, Apr. 13, 1970, 84 Stat. 189; Pub. L. 92318, title II, §208, June 23, 1972, 86 Stat. 326; renumbered Pub. L. 93380, title VIII, §841(a)(6), Aug. 21, 1974, 88 Stat. 607; amended Pub. L. 94482, title II, §201(o), Oct. 12, 1976, 90 Stat. 2169, set forth requirements for curriculum development programs in vocational and technical education and authorized funding for such programs.

Section 1393, Pub. L. 88210, title I, §191, as added Pub. L. 93380, title VIII, §841(a)(7), Aug. 21, 1974, 88 Stat. 607, set forth congressional findings for establishment of bilingual vocational training programs.

Section 1393a, Pub. L. 88210, title I, \$192, as added Pub. L. 93380, title VIII, \$841(a)(7), Aug. 21, 1974, 88 Stat. 608, set out general responsibilities of Commissioner and Secretary of Labor in administering bilingual vocational training programs

tional training programs.

Section 1393b, Pub. L. 88210, title I, §193, as added Pub. L. 93380, title VIII, §841(a)(7), Aug. 21, 1974, 88 Stat. 608; amended Pub. L. 94482, title II, §201(p), Oct. 12, 1976, 90 Stat. 2169, authorized appropriations for bilingual vocational training programs.

tional training programs.

Section 1393c, Pub. L. 88210, title I, §194, as added Pub.
L. 93380, title VIII, §841(a)(7), Aug. 21, 1974, 88 Stat. 608;

amended Pub. L. 94482, title V, §501(j)(1), Oct. 12, 1976, 90 Stat. 2237, authorized grants and contracts for bilingual vocational training programs.

Section 1393d, Pub. L. 88210, title I, §195, as added Pub. L. 93380, title VIII, §841(a)(7), Aug. 21, 1974, 88 Stat. 608, set forth authorized purposes of grants and contracts for bilingual vocational training programs.

Section 1393e, Pub. L. 88210, title I, §196, as added Pub. L. 93380, title VIII, §841(a)(7), Aug. 21, 1974, 88 Stat. 609, set forth application requirements for grants and contracts for bilingual vocational training programs.

Section 1393f, Pub. L. 88210, title I, §197, as added Pub. L. 93380, title VIII, §841(a)(7), Aug. 21, 1974, 88 Stat. 609; amended Pub. L. 94482, title V, §501(j)(2), Oct. 12, 1976, 90 Stat. 2237, set forth criteria for approval by Commissioner of applications for grants and contracts for bilingual vocational training programs.

CHAPTER 33—EDUCATION OF INDIVIDUALS WITH DISABILITIES

SUBCHAPTER I—GENERAL PROVISIONS

Sec. 1400. Congressional statements and declarations.

- (a) Short title.
 - (b) Findings.
 - (c) Purpose.

1401. Definitions.

1402. Office of Special Education Programs.

- (a) Establishment; purposes.
- (b) Deputy Assistant Secretary: selection and supervision, compensation; Associate Deputy Assistant Secretary and minimum number of assistants: establishment, compensation.

1403. Abrogation of State sovereign immunity.

- (a) State immunity abrogated.
- (b) Availability of remedies.
- (c) Effective date.
- 1404. Acquisition of equipment and construction of necessary facilities.
 - (a) Authorization for use of funds.
 - (b) Recovery of payments under certain conditions.
- 1405. Employment of individuals with disabilities.
 1406. Grants for removal of architectural barriers;
 authorization of appropriations.
- 1407. Regulation requirements.
 - (a) Minimum period for comment before effective date.
 - (b) Lessening of procedural or substantive protections as in effect on July 20, 1983, prohibited.

1408. Eligibility for financial assistance.
 1409. Administrative provisions applicable to subchapters III through VII and section 1418.

- (a) Plan for implementation of authorized programs.
- (b) Needs of minority children and youth.
- (c) Transitions facing children with disabilities during years in school.
- (d) Program evaluations.
- (e) Report on program plans and evaluations.
- (f) Acquisition and dissemination of information.
- (g) Dissemination of reports to appropriate networks.
- (h) Evaluation panels.
- (i) Site visits.
- (j) Discretionary program findings.

SUBCHAPTER II—ASSISTANCE FOR EDUCATION OF ALL CHILDREN WITH DISABILITIES

1411. Entitlements and allocations.

- (a) Formula for determining maximum State entitlement.
- (b) Minimum amount of funds to States for fiscal years 1995 to 1999.

Sec.

- (c) Distribution and use of grant funds by States for fiscal years ending September 30, 1979, and thereafter.
- (d) Allocation of funds within States to local educational agencies and intermediate educational units.
- (e) Territories and possessions.
- (f) Indian reservations.
- (g) Reductions or increases.
- (h) Authorization of appropriations.
- 1412. Eligibility requirements.
- 1413. State plans.
 - (a) Requisite features.
 - (b) Additional assurances.
 - (c) Notice and hearing prior to disapproval of plan.
 - (d) Participation of children with disabilities in private schools; payment of Federal amount; determinations of Secretary: notice and hearing; judicial review: jurisdiction of court of appeals, petition, record, conclusiveness of findings, remand, review by Supreme Court.
 - (e) Prohibition on reduction of assistance.
- 1414. Application.

1414a.

- (a) Requisite features.
- (b) Approval by State educational agencies of applications submitted by local educational agencies or intermediate educational units; notice and hearing.
- (c) Consolidated applications.
- (d) Special education and related services provided directly by State educational agencies; regional or State centers.
- (e) Reallocation of funds.
- (f) Programs using State or local funds.
- Treatment of chapter 1 State agencies.

 (a) Treatment as local educational agen-
 - (a) Treatment as local educational agen cies.
 - (b) Applications.
 - (c) Application of section 1411(c)(4).
- 1415. Procedural safeguards.
 - (a) Establishment and maintenance.
 - (b) Required procedures; hearing.
 - (c) Review of local decision by State educational agency.
 - (d) Enumeration of rights accorded parties to hearings.
 - (e) Civil action; jurisdiction.
 - (f) Effect on other laws.
- 1416. Withholding of payments.
 - (a) Failure to comply with this subchapter; limitations; public notice.
 - (b) Judicial review.
- 1417. Administration.
 - (a) Duties of Secretary.
 - (b) Rules and regulations.
 - (c) Protection of rights and privacy of parents and students.
 - (d) Hiring of qualified personnel.
- 1418. Evaluation and program information.
 - (a) Duties of Secretary.
 - (b) Collection of data.
 - (c) Studies and investigations under grants, contracts, or cooperative agreements.
 - (d) Cooperative agreements with State agencies.
 - (e) Studies to assess progress of program.
 - (f) Integration of information.
 - (g) Annual report.
 - (h) Authorization of appropriations.
- 1419. Preschool grants.
 - (a) Grants for fiscal years 1987 through 1989; amount of grants.

Sec.

- (b) Grants for fiscal year 1990 and thereafter; amount of grants.
- (c) Distribution by State of funds.
- (d) Insufficiency of appropriated amounts; reduction of maximum amounts receivable by States.
- (e) Authorization of appropriations.
- (f) Use of appropriated funds.
- (g) Applicability of subchapter VIII.

1420. Payments.

- (a) Payments to States; distribution by States to local educational agencies and intermediate educational units.
- (b) Advances, reimbursements, and installments.

SUBCHAPTER III—CENTERS AND SERVICES TO MEET SPECIAL NEEDS OF INDIVIDUALS WITH DISABILITIES

1421. Regional resource and Federal centers.

- (a) Establishment; functions.
- (b) Considerations governing approval of application.
- (c) Annual report; summaries.
- (d) Coordinating technical assistance center.
- (e) Amounts available for centers.
- (f) Development of operation guidelines and criteria.
- 1422. Services for deaf-blind children and youth.
 - (a) Grant and contract authority; types and scope of programs; governing considerations.
 - (b) Contract authority for regional programs of technical assistance.
 - (c) Annual report to Secretary; examination of numbers and services and revision of numbers; annual report to Congress: summary of data.
 - (d) National clearinghouse for children and youth with deaf-blindness.
 - (e) Country-wide availability of assistance.
 - (f) Grants to, or contracts and cooperative agreements with, appropriate organizations and agencies.
- 1423. Early education for children with disabilities.
 - (a) Contracts, grants, and cooperative agreements; purpose; coordination with community programs; national dispersion in urban and rural areas; Federal share; non-Federal contributions; arrangements with Indian tribes.
 - (b) Grants for identifying, tracking, and referring children at-risk of having developmental delays.
 - (c) Technical assistance development system.
 - (d) Early childhood research institutes.
 - (e) Grants or contracts with organizations to identify needs of children with disabilities and for training of personnel.
 - (f) Notice in Federal Register of intent to accept applications for grants, contracts, etc.
 - (g) "Children with disabilities" defined.
 - (h) Organization, integration, and presentation of developed knowledge.
- 1424. Programs for children with severe disabilities.
 - (a) Grant and contract authority.
 - (b) Extended school year demonstration programs.
 - (c) Coordination of activities with similar activities under other provisions
 - (d) National geographic dispersion of programs in urban and rural areas.

Sec.

(e) Priority programs.

1424a Postsecondary education. Secondary education and transitional serv-1425. ices for youth with disabilities.

(a) Grant and contract authority; statement of purposes; national geo-graphic dispersion in urban and rural areas.

(b) Description of specific projects.

- (c) Coordination of noneducational agency applicant with State educational agency.
- (d) Applications for assistance; contents. (e) Five-year grants to develop systems to provide transition services.
- (f) Development or demonstration of new or improved methods, approaches, or techniques; demonstration models of assistive technology devices and services; evaluation of transition services.
- (g) Coordination of educational programs with vocational rehabilitation projects and vocational education projects.

1426. Programs for children and youth with serious emotional disturbance.

(a) Grants, contracts, and cooperative agreements to establish projects.

(b) Grants to provide services.

(c) Requirements of projects assisted.

1427. Authorization of appropriations.

SUBCHAPTER IV—TRAINING PERSONNEL FOR THE EDUCATION OF INDIVIDUALS WITH DIS-ABILITIES

1431. Grants for personnel training.

- (a) Careers in special education; personnel training standards; costs of courses, fellowships, and traineeships; contract authority for areas of personnel shortages.
- (b) Grants for educational interpreter training programs for personnel educating deaf or deaf-blind students; assurance required; training of regular education teachers.
- (c) Special projects for preservice training, regular educators, and inservice training of special education personnel.
- (d) Career advancement and training for workers at agencies that provide services to children and youth with disabilities.
- (e) Parent training and information programs.

1432. Grants to State educational agencies and institutions for traineeships.

(a) Size and scope of grant.(b) Grants on competitive basis.

(c) Purpose of grants.

(d) Technical assistance to States.

1433. Clearinghouses.

- (a) Establishment of national clearinghouses.
- (b) National clearinghouse for children and youth with disabilities.
- (c) National clearinghouse on postsecondary education for individuals with disabilities.
- (d) National clearinghouse on careers in special education.
- (e) Priority consideration of applicants.

(f) Annual report to Congress.

1434. Reports to the Secretary

1435. Authorization of appropriations.

(a) In general.

(b) Personnel training for careers in special education and early intervention.

Sec.

1436. Omitted.

SUBCHAPTER V—RESEARCH IN THE EDUCATION OF INDIVIDUALS WITH DISABILITIES

Research and related activities. 1441.

- (a) Grants, contracts, and cooperative agreements.
- (b) Qualifications of applicants.
- (c) Publication of proposed priorities.

(d) Index of projects.

- (e) Coordination with other research; information to other agencies.
- (f) Attention deficit disorder.

(g) Model demonstration programs.

(h) Research grants for unique needs, specialized instruction, and progress measurement; family involvement; adult role models.

1442. Research and demonstration projects in physical education and recreation for children with disabilities.

1443. Repealed.

1444. Authorization of appropriations.

SUBCHAPTER VI—INSTRUCTIONAL MEDIA FOR INDIVIDUALS WITH DISABILITIES

1451.

Captioned films, television, descriptive video, 1452. and educational media for individuals with disabilities.

(a) Establishment of loan service.

- (b) Authority of Secretary.(c) National Theatre of the Deaf; other non-profit organizations.
- (d) Transcribed tapes and cassettes.

1453. Repealed.

Authorization of appropriations.

SUBCHAPTER VII—TECHNOLOGY, EDUCATIONAL MEDIA, AND MATERIALS FOR INDIVIDUALS WITH DISABILITIES

1461. Financial assistance.

Authorization of appropriations. 1462.

SUBCHAPTER VIII—INFANTS AND TODDLERS WITH DISABILITIES

Congressional findings and policy. 1471.

(a) Findings.(b) Policy.

1472. Definitions.

1473. General authority.

1474. General eligibility. 1475

Continuing eligibility.

- (a) First two years.
- (b) Third and fourth year.
- (c) Fifth and succeeding years.
- (d) Exception.
- (e) Differential funding for fourth or fifth year.

Requirements for statewide system. 1476.

(a) In general.

(b) Minimum components.

Individualized family service plan. 1477.

- (a) Assessment and program development.
 - (b) Periodic review.
 - (c) Promptness after assessment.
 - (d) Content of plan.
 - (e) Parental consent.

1478. State application and assurances.

(a) Application.

- (b) Statement of assurances.
- (c) Approval of application and assurances required.

1479. Uses of funds.

1480 Procedural safeguards.

1481. Payor of last resort.

- (a) Nonsubstitution.
- (b) Reduction of other benefits.

Page 681 TITLE 20—	
Sec.	
1482.	State Interagency Coordinating Council.
	(a) Establishment.
	(b) Composition.
	(c) Meetings.
	(d) Management authority.
	(e) Functions of Council.
	(f) Conflict of interest.
	(g) Use of existing Councils.
1483.	Federal administration.
1484.	Allocation of funds.
	(a) Territories and insular possessions.
	(b) Payments to Secretary of the Interior
	for assistance to Indians.
	(c) States.
	(d) Election by State not to receive allot-
	ment.
1484a.	Federal Interagency Coordinating Council.
	(a) Establishment and purpose.
	(b) Composition.
	(c) Meetings.
	(d) Functions of Council.
	(e) Conflict of interest.
1485.	Authorization of appropriations.
	SUBCHAPTER IX—FAMILY SUPPORT
1.401	Chart title
1491. 1491a.	Short title.
1431a.	Findings, purposes, and policy. (a) Findings.
	(a) Findings. (b) Purposes.
	(c) Policy.
	(d) Rule of construction.
1491b.	Definitions.
1491c.	Grants to States.
14310.	(a) In general.
	(b) Award period and grant limitation.
	(c) Amount of grants.
	(d) Priority for previously participating
	States.
	(e) Priorities for distribution.
1491d.	Application.
1491e.	Designation of lead entity.
	(a) Designation.
	(b) Qualifications.
	(c) Capabilities of lead entity.
1491f.	State Policy Council for family support for
	families of children with disabilities.
	(a) Designation or establishment.
	(b) Use of existing Council.
	(c) Appointments to new Council.
	(d) Composition.
	(e) Functions.
	(f) Hearings and forums.
	(g) Conflict of interest.
	(h) Compensation and expenses.
1491g.	Authorized activities.
	(a) In general.
	(b) Special rule.
1491h.	Strategic plan.
	(a) In general.
	(b) Contents.
	(c) Period and updates.
	(d) Recommendations.
	(e) Comment.
	(f) Dissemination.
	(g) Construction.
1491i.	Progress criteria and reports.
	(a) Guidelines.
	(b) Progress reports.
1491j.	Administrative provisions.
	(a) Evaluation of grant applications.
	(b) Provision of information.
	(c) Appeals.
	(d) Effect on other assistance.
1.4611	(e) Unobligated funds.
1491k.	Technical assistance.
	(a) In general.
	(D) PUPDOSA

(b) Purpose.

(c) Request for technical assistance.

(d) Reports to Secretary.

Sec. 1491*l*. Evaluation.

- (a) In general.
- (b) Purpose.
- (c) Report to Congress.
- (d) Conflict of interest.

1491m. Projects of national significance.

- (a) Study by Secretary.(b) Demonstration and
- b) Demonstration and innovation projects.

1491n. Construction.

1491o. Authorization of appropriations.

- (a) In general.
- (b) Reservation.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 1141, 1203a, 1206a, 2321, 2323, 3441, 4356, 6062, 6143, 6314, 6365, 6493, 6645, 6648, 6649, 7426, 7703, 8921, 8923 of this title; title 5 section 5924; title 10 section 2164; title 25 sections 2503, 2504; title 29 sections 721, 1533, 1645, 2618; title 42 sections 290ff2, 290ff4, 300x1, 6024, 9855d, 9862.

SUBCHAPTER I—GENERAL PROVISIONS

SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in section 1491n of this title.

§1400. Congressional statements and declarations

(a) Short title

This chapter may be cited as the "Individuals with Disabilities Education Act".

(b) Findings

The Congress finds that—

- (1) there are more than eight million children with disabilities in the United States today;
- (2) the special educational needs of such children are not being fully met;
- (3) more than half of the children with disabilities in the United States do not receive appropriate educational services which would enable them to have full equality of opportunity;
- (4) one million of the children with disabilities in the United States are excluded entirely from the public school system and will not go through the educational process with their peers;
- (5) there are many children with disabilities throughout the United States participating in regular school programs whose disabilities prevent them from having a successful educational experience because their disabilities are undetected:
- (6) because of the lack of adequate services within the public school system, families are often forced to find services outside the public school system, often at great distance from their residence and at their own expense;
- (7) developments in the training of teachers and in diagnostic and instructional procedures and methods have advanced to the point that, given appropriate funding, State and local educational agencies can and will provide effective special education and related services to meet the needs of children with disabilities;
- (8) State and local educational agencies have a responsibility to provide education for all children with disabilities, but present finan-